

clinics that represent plaintiffs whose claims are adverse to the Federal or D.C. Governments. Yet this opportunity is important for students to learn their craft and become lawyers.

This disqualifies the law students from participation in many service activities that benefit both the students and the wider community, among them juvenile justice clinics, death penalty appeal projects, advocacy programs on behalf of parents with special needs children, and low-income taxpayer clinics.

This also has the perverse effect of forcing law students to choose between government service and community service. It also needlessly deprives government employees of a range of real-world educational experiences that would be particularly beneficial to them when they become lawyers. Just this year, this Congress passed the Edward Kennedy Service Act encouraging people to participate in public service, and this is another area where we should encourage it.

This is a misguided choice to force on law students, for they should be able to have both government and community service and be encouraged to do so. This bill will stop the law from forcing them to have this conflict.

Section 205 already contains an exemption that narrows the definition of "conflict of interest" to those instances of actual conflict: cases in which a government attorney substantially and personally participated as a government employee, and cases in which the employee's department or agency is currently directly participating.

By applying this exemption to law students and legal clinic staff, the bill will eliminate the pernicious effects of section 205 while retaining its safeguards against true conflict of interest. Law students and legal clinic staff would be able to participate in law school clinics that are, by their nature, adverse to the Federal or D.C. Government while continuing to prohibit actual conflicts of interest involving specific parties.

Law students and staff who choose government service would remain subject to governmental conflict of interest rules while also being permitted to enjoy the same clinical resources and opportunities as their peers.

I commend our colleague Congressman DAN LUNGREN from California for his leadership on this important bill, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4194, the Law Student Clinic Participation Act of 2009, makes a simple yet important change to Federal law so as to increase law students' access to clinics and other law school programs.

Nearly 44,000 law students nationwide will graduate this year from more than 200 law schools across this country.

During their time in school, each of these students will study property, criminal, constitutional, and contract law, just to name a few. And these classes not only instruct the students on the relevant case law or statutes but also attempt to teach them how to think like a lawyer; that is, to analyze cases from a lawyer's perspective.

As important as that is, equally important are the clinical programs offered by virtually every law school in the country that teach students how to practice law. Clinical programs include prosecution and defense, appellate advocacy, including death penalty appeals projects, juvenile justice, and even tax assistance clinics. Yet, a little-known provision in Federal criminal law—Federal criminal law; that is, it makes it a crime—prevents certain law students from participating in these clinics. In other words, they would be subject to criminal penalties if they participated in these clinics. That is because section 205 of title 18 prescribes criminal penalties for government employees who provide outside legal assistance in a case against the United States or adverse to a substantial U.S. interest. Therefore, law school students, or even staff, who are also employed by the Federal Government, full time or part time, may be barred from participating in these valuable clinical programs.

The impact of this provision is perhaps no greater than right here in our Washington, D.C., metropolitan area, which is the home to over half a dozen law schools. It comes as no surprise that many of these schools' students are also Federal Government employees. Some of the schools have night programs, so the students work full time during the day and take classes at night. Many times they do work for the Federal Government or the D.C. Government, but because of their employment, they are, therefore, disqualified from participating in these extremely beneficial programs. This was most certainly not Congress' intent when it enacted section 205.

H.R. 4194, remedies this problem by extending an existing exemption within the statute to include Federal employee law students. The bill, therefore, appropriately allows students and staff to participate in clinics, including those that are adverse to the Federal or D.C. Governments; however—and this is important—the bill continues to prohibit any actual conflict of interest involving specific parties. Therefore, if the student or staff member is involved in a matter which would be a direct conflict of interest, they are not covered by this waiver. It would seem that this is a commonsense solution to provide those students employed by the government the same opportunities as other students.

I might say, Mr. Speaker, when this came to my attention, I thought that perhaps we could have a relatively simple, straightforward waiver or exemption to take care of this problem,

which was unanticipated by the Congress when it passed the relevant law, and, therefore, I would urge my colleagues to join me in supporting this bill.

And if the gentleman from Tennessee has no other speakers, I would yield back the balance of my time.

Mr. COHEN. Mr. Speaker, we have no further speakers.

Mr. Speaker, I just want to thank Mr. LUNGREN for bringing this to us. It is important that the law students do have this opportunity and that the conflicts be real and not imagined. I would like to encourage a "yes" vote and would move that we pass the bill at this time.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BLUMENAUER). The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 4194.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COHEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 894, by the yeas and nays;

H.R. 1517, de novo;

H.R. 3978, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HONORING 50TH ANNIVERSARY OF THE RECORDING OF "KIND OF BLUE"

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 894, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 894.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 25, as follows:

[Roll No. 971]

YEAS—409

Ackerman Davis (KY) Kildee
 Aderholt Davis (TN) Kilpatrick (MI)
 Adler (NJ) DeFazio Kind
 Akin DeGette King (IA)
 Alexander Delahunt King (NY)
 Altmire DeLauro Kingston
 Andrews Dent Kirk
 Arcuri Diaz-Balart, L. Kirkpatrick (AZ)
 Austria Diaz-Balart, M. Kissell
 Baca Dicks Klein (FL)
 Bachmann Dingell Kline (MN)
 Bachus Doggett Kosmas
 Baird Donnelly (IN) Kratovil
 Baldwin Doyle Kucinich
 Barrow Dreier Lamborn
 Bartlett Driehaus Lance
 Barton (TX) Duncan Langevin
 Bean Edwards (MD) Larsen (WA)
 Becerra Edwards (TX) Larson (CT)
 Berkley Ehlers Latham
 Berman Ellison Latta
 Berry Ellsworth Lee (CA)
 Biggert Emerson Lee (NY)
 Bilbray Engel Levin
 Bilirakis Eshoo Lewis (CA)
 Bishop (GA) Etheridge Lewis (GA)
 Bishop (NY) Fallin Linder
 Blackburn Farr Lipinski
 Blumenauer Fattah LoBiondo
 Blunt Filner Loebsack
 Boccieri Flake Lofgren, Zoe
 Boehner Fleming Lowey
 Bono Mack Forbes Lucas
 Boozman Fortenberry Luetkemeyer
 Boren Foster Lujan
 Boswell Foxx Lummis
 Boucher Frank (MA) Lungren, Daniel
 Boustany Franks (AZ) E.
 Boyd Frelinghuysen Lynch
 Brady (PA) Fudge Mack
 Brady (TX) Gallegly Maloney
 Braley (IA) Garamendi Manzanillo
 Bright Garrett (NJ) Marchant
 Broun (GA) Gerlach Markey (CO)
 Brown (SC) Giffords Markey (MA)
 Brown, Corrine Gingrey (GA) Marshall
 Brown-Waite, Ginny Gohmert Massa
 Buchanan Gonzalez Matheson
 Buchanan Goodlatte Matsui
 Burgess Gordon (TN) McCarthy (CA)
 Burton (IN) Granger McCarthy (NY)
 Butterfield Graves McCaul
 Buyer Grayson McClintock
 Calvert Green, Al McCollum
 Camp Green, Gene McCotter
 Campbell Griffith McDermott
 Cantor Grijalva McGovern
 Cao Guthrie McHenry
 Capito Gutierrez McIntyre
 Capps Hall (NY) McKeon
 Capuano Hall (TX) McMahan
 Cardoza Halvorson McMorris
 Carnahan Hare Rodgers
 Carney Harman McNeerney
 Carson (IN) Harper Meek (FL)
 Carter Hastings (WA) Meeks (NY)
 Cassidy Heinrich Melancon
 Castle Hensarling Mica
 Castor (FL) Herseth Sandlin Michaud
 Chaffetz Higgins Miller (FL)
 Chandler Hill Miller (MI)
 Childers Himes Miller (NC)
 Chu Hinojosa Miller, Gary
 Clarke Hirono Miller, George
 Cleaver Hoekstra Minnick
 Clyburn Holden Mitchell
 Coble Holt Mollohan
 Coffman (CO) Honda Moore (KS)
 Cohen Hoyer Moore (WI)
 Cole Hunter Moran (KS)
 Conaway Inglis Murphy (CT)
 Connolly (VA) Inslee Murphy (NY)
 Conyers Israel Murphy, Patrick
 Cooper Issa Murphy, Tim
 Costa Jackson (IL) Myrick
 Costello Jackson-Lee Nadler (NY)
 Courtney (TX) Napolitano
 Crenshaw Jenkins Neal (MA)
 Crowley Johnson (GA) Neugebauer
 Cuellar Johnson, E. B. Nunes
 Culberson Jones Nye
 Cummings Jordan (OH) Oberstar
 Dahlkemper Kagen Obey
 Davis (AL) Kanjorski Olson
 Davis (CA) Kaptur Oliver
 Davis (IL) Kennedy Ortiz

Owens Ryan (OH)
 Pallone Ryan (WI)
 Pastor (AZ) Sanchez, Linda
 Paul T.
 Paulsen Sarbanes
 Payne Scalise
 Pence Schakowsky
 Perlmutter Schauer
 Perriello Schiff
 Peters Schmidt
 Peterson Schock
 Petri Schrader
 Pingree (ME) Schwartz
 Pitts Scott (GA)
 Platts Scott (VA)
 Poe (TX) Sensenbrenner
 Polis (CO) Serrano
 Pomeroy Sessions
 Posey Sestak
 Price (GA) Shadegg
 Price (NC) Shea-Porter
 Putnam Sherman
 Quigley Shimkus
 Rahall Shuster
 Rangel Simpson
 Rehberg Sires
 Reichert Skelton
 Reyes Slaughte
 Richardson Smith (NE)
 Rodriguez Smith (NJ)
 Roe (TN) Smith (TX)
 Rogers (AL) Smith (WA)
 Rogers (KY) Snyder
 Rogers (MI) Souder
 Rohrabacher Space
 Rooney Speier
 Ros-Lehtinen Spratt
 Ross Stark
 Rothman (NJ) Stearns
 Roybal-Allard Stupak
 Royce Sullivan
 Ruppersberger Sutton
 Rush Tanner

Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Titus
 Tonko
 Towns
 Tsongas
 Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Welch
 Westmoreland
 Wexler
 Whitfield
 Wilson (OH)
 Wilson (SC)
 Wittman
 Wolf
 Woolsey
 Wu
 Yarmuth
 Young (AK)

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 414, noes 1, not voting 19, as follows:

[Roll No. 972]

AYES—414

Ackerman Crowley
 Aderholt Cuellar
 Adler (NJ) Culberson
 Akin Cummings
 Alexander Dahlkemper
 Altmire Davis (AL)
 Andrews Davis (CA)
 Arcuri Davis (IL)
 Austria Davis (KY)
 Baca Davis (TN)
 Bachmann DeFazio
 Bachus DeGette
 Baird Delahunt
 Baldwin DeLauro
 Barrow Dent
 Bartlett Diaz-Balart, L.
 Barton (TX) Diaz-Balart, M.
 Bean Dicks
 Becerra Dingell
 Berkley Doggett
 Berman Donnelly (IN)
 Berry Doyle
 Biggert Dreier
 Bilbray Driehaus
 Bilirakis Duncan
 Bishop (GA) Edwards (MD)
 Bishop (NY) Edwards (TX)
 Blackburn Ehlers
 Blumenauer Ellison
 Blunt Ellsworth
 Boccieri Emerson
 Boehner Engel
 Bono Mack Eshoo
 Boozman Etheridge
 Boren Fallin
 Boswell Farr
 Boucher Fattah
 Boustany Filner
 Boyd Flake
 Brady (PA) Fleming
 Brady (TX) Forbes
 Braley (IA) Fortenberry
 Bright Foster
 Broun (GA) Foxx
 Brown (SC) Frank (MA)
 Brown, Corrine Franks (AZ)
 Brown-Waite, Frelinghuysen
 Ginny Fudge
 Buchanan Gallegly
 Burgess Garamendi
 Burton (IN) Garrett (NJ)
 Butterfield Gerlach
 Buyer Giffords
 Calvert Gingrey (GA)
 Camp Gohmert
 Campbell Gonzalez
 Cantor Goodlatte
 Cao Gordon (TN)
 Capito Granger
 Capps Graves
 Capuano Grayson
 Cardoza Green, Al
 Carnahan Green, Gene
 Carney Griffith
 Carson (IN) Grijalva
 Carter Guthrie
 Cassidy Gutierrez
 Castle Hall (NY)
 Castor (FL) Hall (TX)
 Chaffetz Halvorson
 Chandler Hare
 Childers Harman
 Chu Harper
 Clarke Hastings (FL)
 Cleaver Hastings (WA)
 Clyburn Heinrich
 Coble Hensarling
 Coffman (CO) Herger
 Cohen Herseth Sandlin
 Cole Higgins
 Conaway Hill
 Connolly (VA) Himes
 Conyers Hinojosa
 Cooper Hirono
 Costa Hoekstra
 Costello Meeks (NY)
 Courtney Holt
 Crenshaw Honda

NOT VOTING—25

Abercrombie
 Barrett (SC)
 Bishop (UT)
 Bonner
 Clay
 Deal (GA)
 Hastings (FL)
 Heller
 Herger
 Hinchey
 Hodes
 Johnson (IL)
 Johnson, Sam
 Kilroy
 LaTourette
 Maffei
 Moran (VA)
 Murtha
 Pascrell
 Radanovich
 Roskam
 Salazar
 Sanchez, Loretta
 Shuler
 Young (FL)

□ 1237

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 971, had I been present, I would have voted “yea.”

AUTHORITY TO CONVERT CERTAIN OVERSEAS LIMITED APPOINTMENTS TO PERMANENT APPOINTMENTS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1517, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CUELLAR) that the House suspend the rules and pass the bill, H.R. 1517, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. CONNOLLY of Virginia. Mr. Speaker, I demand a recorded vote.